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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/267,178	03/12/1999	LUIS ORTIZ	02324/019001	6678

26171 7590 03/26/2003

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EXAMINER

ABELSON, RONALD B

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 03/26/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

7, 14

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Office Action Summary

Application No.

09/267,178

Applicant(s)

ORTIZ ET AL.

Examiner

Ronald Abelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-40 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Claim Rejections - 35 USC § 102

1. Claim 1, 5, 7, 13, 14, 20, 21, 25, 26, 29, 31-33, and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Coile (US 6,298,063).

Regarding claims 1, 7, 14, 21, 26, 31, and 33, Coile teaches a method and apparatus for a computer telephony system (fig. 1).

The computer telephony platforms have resources that provide computer telephony services (fig. 1 box 102, 104).

There are service modules (fig. 1 box 112 A,B,C) residing on each of the platforms (fig. 1 box 112), wherein the service modules manipulate the resources according to platform-dependent protocols to facilitate performance of computer telephony services for other service modules (TCP, col. 4 lines 14-15), and communication among service modules uses packets having a common, platform-independent protocol (col. 4 lines 23-25, col. 5 lines 55-56).

*see
added
limitation*

There are intra-platform packet routers (fig. 1 box 200) residing on the platforms and configured to route message packets having intra-platform destination addresses (x.x.x.1-4) to local service modules (fig. 1 box 112), and route message

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packets having inter-platform destination addresses to an inter-platform platform interface (fig. 1 box 104).

There is inter-platform packet router (fig. 1 box 104) associated with the inter-platform interface, the inter-platform router routing message packets having inter-platform destination addresses (fig. 1 box 102) received from the intra-platform routers to one of the intra-platform routers residing on one of the platforms on which the service modules indicated by the inter-platform address reside.

Regarding claims 5, 13, 20, 25, 29, 32, 39, the computer telephony services include voice, fax, data messaging, video, and multi-media (TCP, col. 4 line 9).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 2, 3, 8, 9, 15, 16, 22, 23, 27, 28, and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coile as applied to claims 1, 7 above, and further in view of Halsall.

Coile fails to explicitly state the contents of the message packet.

Halsall teaches the TCP packet comprises a common set of commands (pg. 651, fig b: RST), as specified in claims 2, 8, 15, 22, 27, 36; a set of parameters (pg. 651, fig. a: Acknowledgment number), each of the commands being operative with respect to one of the parameters to define one of the computer telephony services), as specified in claims 2, 8, 15, 22, 27, 36; a source address indicating an address of one of the service modules originating the message packet (pg. 651, fig. a: Source port), as specified in claims 3, 9, 16, 23, 28, 37; a destination address indicating an address of one of the service modules to receive the message packet (pg. 651, fig. a: Source port), as specified in claims 3, 9, 16, 23, 28, 34, 35, 37; a command field (pg. 651, fig. b), as specified in claims 3, 9, 16, 23, 28, 37; and a parameter field (pg. 651, fig. a: Sequence number, Acknowledgement number, Header length), as specified in claims 3, 9, 16, 23, 28, 37.

Therefore it would have been obvious to one of ordinary skill in the art, having both Coile and Halsall before him/her

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and with the teachings [a] as shown by Coile, a computer telephony system comprising: platforms having resources that provide computer telephony services, service modules residing on each of the platforms, wherein the service modules manipulate the resources according to platform-dependent protocols to facilitate performance of computer telephony services for other service modules, and communication among service modules uses packets having a common, platform-independent protocol, intra-platform packet routers residing on the platforms configured to route message packets having intra-platform destination addresses to local service modules, and route message packets having inter-platform destination addresses to an inter-platform platform interface, and [b] as shown by Halsall, the TCP packet comprises a common set of commands and a set of parameters, each of the commands being operative with respect to one of the parameters to define one of the computer telephony services, a command field, and a parameter field, to be motivated to modify the system of Coile by transmitting standard TCP packets. This would improve the system since Coile's system uses the TCP protocol and by using standardized format, the system can be easily integrated with other networks.

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4. Claims 6, 11, 18, 30, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coile as applied to claims 1, 7, 14, 26, and 33 above, and further in view of McConnell (US 6,108,307).

Coile teaches each of the service modules is capable of processing messages received from a plurality of the other service modules (col. 5 lines 55-56).

Coile fails to teach each of the service modules maintains a queue for receipt of message packets, the queue defining an order of processing of the message packets by the service module.

McConnell teaches each of the service modules maintains a queue for receipt of message packets, the queue defining an order of processing of the message packets by the service module (fig. 3, box Q1-4, 58, col. 5 lines 56-59).

Therefore it would have been obvious to one of ordinary skill in the art, having both Coile and McConnell before him/her and with the teachings [a] as shown by Coile, a computer telephony system comprising: platforms having resources that provide computer telephony services, service modules residing on each of the platforms, wherein the service modules manipulate the resources according to platform-dependent protocols to

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facilitate performance of computer telephony services for other service modules, and communication among service modules uses packets having a common, platform-independent protocol, intra-platform packet routers residing on the platforms configured to route message packets having intra-platform destination addresses to local service modules, routing message packets having inter-platform destination addresses to an inter-platform platform interface, and each of the service modules is capable of processing messages received from a plurality of the other service modules, and [b] as shown by McConnell, each of the service modules maintains a queue for receipt of message packets, the queue defining an order of processing of the message packets by the service module, to be motivated to modify the system of Coile by inserting a plurality of prioritized queues before each service manager. This would improve the system by allowing for receipt of messages by the service managers on a prioritized basis.

5. Claims 4, 10, 17, 24, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coile as applied to claims 1, 7, 14, 21, and 33 above, and further in view of Killian (US 6,064,671).

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Although Coile teaches the servers may generally provide any type of TCP service, the inventor does not explicitly state each of the resources comprises one of a hardware device and a software object.

Killian teaches TCP supports the software protocol HTTP (col. 4 lines 59-60).

Therefore it would have been obvious to one of ordinary skill in the art, having both Coile and Killian before him/her and with the teachings [a] as shown by Coile, a computer telephony system comprising: platforms having resources that provide computer telephony services, service modules residing on each of the platforms, wherein the service modules manipulate the resources according to platform-dependent protocols to facilitate performance of computer telephony services for other service modules, and communication among service modules uses packets having a common, platform-independent protocol, intra-platform packet routers residing on the platforms configured to route message packets having intra-platform destination addresses to local service modules, and route message packets having inter-platform destination addresses to an inter-platform platform interface, and [b] as shown by Killian, TCP supports the software protocol HTTP, to be motivated to modify the system of Coile by having the servers (fig. 1 box 1120 access the

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Internet (fig. 1 box 102) using HTTP. This would improve the system by providing a standardized method within TCP for access to the Internet.

Allowable Subject Matter

6. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter.

8. Regarding claims 12, nothing in the prior art of the record teaches or fairly suggests the service modules manipulate the resources according to one of a plurality of diverse protocols, in combination with the other limitations listed in the claim. In contrast, Coile only teaches the TCP protocol.

Response to Arguments

9. Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection. The examiner agrees with the applicant that Katz, see prior office action does not teach the limitations found in

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independent claims 1, 7, 14, 21, 26, 31, and 33. Therefore, a new office action has been submitted.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.


Ronald Abelson
Examiner
Art Unit 2666



March 12, 2003


DANGTON
PRIMARY EXAMINER